

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MILE KOSOVAC,

Petitioner,

vs.

Case No. 07-CV-13511
HON. GEORGE CARAM STEEH

BUREAU OF CITIZENSHIP AND
IMMIGRATION SERVICES,

Respondent.

_____ /

ORDER DISMISSING AUGUST 30, 2007 SHOW CAUSE ORDER (#2)

On August 30, 2007, petitioner Mike Kosovac was ordered to show cause by September 21, 2007 why this case should not be dismissed for lack of federal subject matter jurisdiction in the absence of allegations sufficient to ascertain whether Kosovac had exhausted his administrative remedies with respect to the denial of his application for naturalization, a jurisdictional prerequisite. See 8 C.F.R. § 336.9(d); 8 U.S.C. § 1447(a); Baez-Fernandez v. Immigration and Naturalization Service, 385 F.Supp.2d 292, 294 (S.D.N.Y. Jan, 18, 2005). On September 12, 2007, Kosovac filed a four-page response stating that his initial application was denied on May 4, 2004, that he requested an administrative hearing which was held on November 16, 2006, and that the denial of his application for naturalization was affirmed on March 11, 2007. Kosovac has shown cause why his petition should not be dismissed for a failure to his exhaust administrative remedies. Accordingly,

The court's order requiring Kosovac to show cause is hereby DISMISSED. Kosovac

is again forewarned that failure to timely and properly serve the Bureau of Citizenship and Immigration Services with this lawsuit, or to file proof of such service with this court, may result in the dismissal of his petition without prejudice for lack of prosecution. See Eastern District of Michigan Local Rule 41.2.

SO ORDERED.

Dated: September 18, 2007

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on September 18, 2007, by electronic and/or ordinary mail.

s/Marcia Beauchemin
Deputy Clerk